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Rutan & Tucker, LLP. 611 ANTON BLVD SUITE 1400 COSTA MESA, CA 92626			EXAMINER FINDLEY, CHRISTOPHER G	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/705,193	Applicant(s) BRAUNSTEIN ET AL.	
	Examiner CHRISTOPHER FINDLEY	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/16/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-3, 6, 10-13, 15-16, 19, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Kurase (US 20020063783 A1).**

Re **claim 1**, Minne discloses a method, comprising: limiting a one-time-use digital video camera having a digital storage medium for a single use cycle (Minne: column 10, lines 45-54, write once memory); configuring a digital storage medium to store in a digital form captured video footage including a sequence of video images capturing motion recorded by a digital video image sensor and sound data recorded by a digital audio sensor (Minne: column 6, lines 31-45); configuring a microphone to capture sound corresponding to the recorded video images and to supply the captured sound to the digital audio sensor, where both the recorded images and the captured sound are combined into the captured video footage file (Minne: column 6, lines 15-16);

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configuring a video compression component to compress a size of the captured video footage file (Minne: column 6, lines 9-14); configuring a processing unit to execute instructions that operate the digital video camera (Minne: Fig. 5, camera processor 76); configuring a communication port to facilitate communications between components internal to the digital video camera and devices external to the digital video camera (Minne: column 6, lines 24-30); and refurbishing the one-time-use digital video recorder for another use cycle of the one-time-use digital video recorder (Minne: column 10, lines 18-44).

Minne does not explicitly show configuring a digital viewfinder having a display to present to a user the images in a target area to be taken on that display and then the images are recorded in the non-volatile digital storage medium; configuring a Direct Current power source to power the microphone, the digital video image sensor, the digital audio sensor, the processing unit, the display, and the non-volatile digital storage medium; or configuring the digital viewfinder having the display to play back the captured video footage file on the display to the user or that the audio and video are combined into a single footage file. However, Kurase discloses a digital camera and imaging method, wherein the LCD monitor may be employed as both a viewfinder preview screen and a display for showing previously captured images (Kurase: paragraph [0047]). Kurase also shows that the digital camera includes a DC battery, which supplies power each component circuit block of the camera (Kurase: Fig. 3, battery 120; paragraph [0066]). Kurase further discloses that a movie with sound can be taken and recorded in a Motion JPEG format in a memory (Kurase: paragraph

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[0056]). Since both Minne and Kurase relate to digital cameras, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the battery configuration of Kurase with the camera of Minne in order to provide a portable device, where the supply voltage is converted to the appropriate voltage for the camera components via the DC-DC converter (Kurase: paragraph [0066]), thus ensuring optimized power consumption. The combined system of Mine and Kurase has all of the features of claim 1.

Re **claim 2**, the combined system of Minne and Kurase discloses a majority of the features of claim 2, as discussed above in claim 1. Additionally, Minne discloses that refurbishing comprises making the one- time-use digital video recorder operational for another use cycle (Minne: column 10, lines 41-44).

Re **claim 3**, the combined system of Minne and Kurase discloses a majority of the features of claim 3, as discussed above in claim 1. Additionally, Minne discloses selling the one-time-use digital video camera during a first use cycle (Minne: column 10, lines 41-44, the term “resale” indicates that the camera was sold a first time and then the camera is subsequently sold again at least a second time); and selling the one-time-use digital video recorder for a second use cycle after refurbishing the one-time-use digital video recorder (Minne: column 10, lines 41-44, the term “resale” indicates that the camera was sold a first time and then the camera is subsequently sold again at least a second time).

Re **claim 6**, the combined system of Minne and Kurase discloses a majority of the features of claim 6, as discussed above in claim 1. Additionally, Minne discloses

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communicating video footage captured by the one time use digital video camera to an external processing unit to process the video data (Minne: column 10, lines 29-33, “device for producing” indicates including the associated processing involved in copying to a second medium).

Re **claim 10**, the combined system of Minne and Kurase discloses a majority of the features of claim 10, as discussed above in claim 1. Additionally, Minne discloses that a limiting use component contained within the one time use camera restricts the use of the one-time-use digital video camera for a single use cycle (Minne: column 10, lines 59-64) and the limiting use component is the digital storage medium located inside the digital video camera in an area inaccessible to the user, wherein the digital storage medium is capable of capturing video footage until the digital storage medium is full but the digital storage medium being located inside the digital video camera and in an area inaccessible to the user forces retrieval of the captured video footage to only be obtainable through the communication port (Minne: column 5, lines 22-32).

Re **claim 11**, Minne discloses an apparatus, comprising: means for limiting a one-time-use digital video camera having a digital storage medium for a single use cycle (Minne: column 10, lines 45-54, write once memory); the digital storage medium to store in a digital form captured video footage including a sequence of video images capturing motion recorded by a digital video image sensor and sound data recorded by a digital audio sensor (Minne: column 6, lines 31-45); means for capturing sound corresponding to the recorded video images and to supply the captured sound to the digital audio sensor, where both the recorded images and the captured sound are

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combined into the captured video footage file (Minne: column 6, lines 15-16); means for compressing a size of the captured video footage (Minne: column 6, lines 9-14); means for executing instructions that operate the digital video camera (Minne: Fig. 5, camera processor 76); means for facilitating communications between components internal to the digital video camera and devices external to the digital video camera (Minne: column 6, lines 24-30), a camera body to contain the means for executing instructions, the means for capturing sound, the means for allowing a user to see, and the digital storage medium on or in the digital video camera (Minne: Figs. 1-3); and means for refurbishing the one-time-use digital video recorder for another use cycle of the one-time-use digital video recorder (Minne: column 10, lines 18-44).

Minne does not explicitly show configuring a digital viewfinder having a display to present to a user the images in a target area to be taken on that display and then the images are recorded in the non-volatile digital storage medium; configuring a Direct Current power source to power the microphone, the digital video image sensor, the digital audio sensor, the processing unit, the display, and the non-volatile digital storage medium; or configuring the digital viewfinder having the display to play back the captured video footage file on the display to the user or that the audio and video are combined into a single footage file. However, Kurase discloses a digital camera and imaging method, wherein the LCD monitor may be employed as both a viewfinder preview screen and a display for showing previously captured images (Kurase: paragraph [0047]). Kurase also shows that the digital camera includes a DC battery, which supplies power each component circuit block of the camera (Kurase: Fig. 3,

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battery 120; paragraph [0066]). Kurase further discloses that a movie with sound can be taken and recorded in a Motion JPEG format in a memory (Kurase: paragraph [0056]). Since both Minne and Kurase relate to digital cameras, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the battery configuration of Kurase with the camera of Minne in order to provide a portable device, where the supply voltage is converted to the appropriate voltage for the camera components via the DC-DC converter (Kurase: paragraph [0066]), thus ensuring optimized power consumption. The combined system of Mine and Kurase has all of the features of claim 11.

Claim 12 has been analyzed and rejected with respect to claim 3 above.

Claim 13 has been analyzed and rejected with respect to claim 6 above.

Re **claim 15**, Minne discloses a system, comprising a digital video camera having a non-volatile digital storage medium to store in a digital form captured video footage including a sequence of video images capturing motion recorded by a digital video image sensor and sound data recorded by a digital audio sensor (Minne: column 6, lines 31-45 and 54-61); a microphone to capture sound corresponding to the recorded video images and to supply the captured sound to the digital audio sensor (Minne: Fig. 5, MIC 90), where both the recorded images and the captured sound are combined into a captured video footage file (Minne: column 6, lines 15-16); a video compression component to compress a size of the captured video footage (Minne: column 6, lines 15-16); a processing unit to execute instructions that operate the digital video camera (Minne: Fig. 5, camera processor 76); a communication port to facilitate

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communications between components internal to the digital video camera and devices external to the digital video camera (Minne: column 6, lines 24-30), a camera body to contain the digital video image sensor, the digital audio sensor the processing unit and the non-volatile digital storage medium within the digital video camera (Minne: Figs. 1-3); and a server external to the digital video camera having a communication port to receive the captured video footage a processor configured to process the video footage and a disk drive to supply the processed video footage to a consumer in a video format useable by other consumer devices (Minne: column 10, lines 25-33).

Minne does not explicitly show configuring a digital viewfinder having a display to present to a user the images in a target area to be taken on that display and then the images are recorded in the non-volatile digital storage medium; configuring a Direct Current power source to power the microphone, the digital video image sensor, the digital audio sensor, the processing unit, the display, and the non-volatile digital storage medium; or configuring the digital viewfinder having the display to play back the captured video footage file on the display to the user or that the audio and video are combined into a single footage file. However, Kurase discloses a digital camera and imaging method, wherein the LCD monitor may be employed as both a viewfinder preview screen and a display for showing previously captured images (Kurase: paragraph [0047]). Kurase also shows that the digital camera includes a DC battery, which supplies power each component circuit block of the camera (Kurase: Fig. 3, battery 120; paragraph [0066]). Kurase further discloses that a movie with sound can be taken and recorded in a Motion JPEG format in a memory (Kurase: paragraph

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[0056]). Since both Minne and Kurase relate to digital cameras, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the battery configuration of Kurase with the camera of Minne in order to provide a portable device, where the supply voltage is converted to the appropriate voltage for the camera components via the DC-DC converter (Kurase: paragraph [0066]), thus ensuring optimized power consumption. The combined system of Mine and Kurase has all of the features of claim 15.

Re **claim 16**, the combined system of Minne and Kurase discloses a majority of the features of claim 16, as discussed above in claim 15. Additionally, Minne discloses a limiting use component to restrict a use of the digital video camera to a single use cycle (Minne: column 10, lines 45-54, write once memory).

Re **claim 19**, the combined system of Minne and Kurase discloses a majority of the features of claim 19, as discussed above in claim 16. Additionally, Minne discloses that the limiting use component is a capacity of the non-volatile digital storage medium designed to support only a single use cycle (Minne: column 10, lines 45-54, write once memory) and the non-volatile digital storage medium is inaccessible to a user of the digital video camera (Minne: column 5, lines 22-32).

Re **claim 23**, the combined system of Minne and Kurase discloses a majority of the features of claim 23, as discussed above in claim 15, but does not specifically disclose that the one-time-use digital video camera has physical dimensions that allows the one-time-use digital video camera to fit within a pocket. However, The Examiner takes Official Notice that digital cameras capable of recording video having physical

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dimensions allowing the camera to fit within a pocket are well known in the art.

Furthermore, one of ordinary skill in the art at the time of the invention would have found it obvious to make the physical dimensions of the camera as small as possible in order to increase the portability, and thus make the camera more attractive to end users.

Re **claim 24**, the combined system of Minne and Kurase discloses a majority of the features of claim 24, as discussed above in claim 15. Additionally, Minne discloses that the display to allow a user to review and its associated controls allow the user to delete video footage that has been recorded on the non-volatile digital storage medium (Minne: column 4, lines 32-36).

Re **claim 25**, the combined system of Minne and Kurase discloses a majority of the features of claim 25, as discussed above in claim 15. Additionally, Minne discloses that the disk drive embeds the processed video content onto a non-volatile digital storage medium (Minne: column 10, lines 25-33).

4. Claims 4-5, 8-9, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Kurase (US 20020063783 A1) as applied to claims 1-3, 6, 10-13, 15-16, 19, and 23-25 above, and further in view of Matsuura et al. (US 20010030773 A1).

Re **claim 4**, the combined system of Minne and Kurase discloses a majority of the features of claim 4, as discussed above regarding claim 3, but neither Minne nor Kurase specifically discloses that a manufacturer sells the one-time-use digital video camera to a vendor. However, Matsuura discloses a digital photograph system,

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wherein a one-time-use digital camera is refurbished for future use and resale by a recycling center, which in turn sells the camera to a store for resale to the consumer (Matsuura: Fig. 2, “buy-in” between the recycling center and the store). Since Minne, Kurase, and Matsuura relate to digital cameras, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the recycling and resale process of Matsuura with the similar refurbishing process of the combined system of Minne and Kurase in order to make the camera more affordable to the consumer, while still allowing the manufacturer and vendor to attain a profit. The combined system of Minne, Kurase, and Matsuura has all of the features of claim 4.

Re **claim 5**, the combined system of Minne and Kurase discloses a majority of the features of claim 5, as discussed above in claim 3. Minne and Kurase do not specifically disclose that a vendor sells the one-time-use digital video camera to a consumer. However, Matsuura discloses a digital photograph system, wherein a one-time-use digital camera is refurbished for future use and resale by a recycling center, which in turn sells the camera to a store for resale to the consumer (Matsuura: Fig. 2, “purchase”). Since Minne, Kurase, and Matsuura relate to digital cameras, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the recycling and resale process of Matsuura with the similar refurbishing process of the combined system of Minne and Kurase in order to make the camera more affordable to the consumer, while still allowing the manufacturer and vendor to attain a profit. The combined system of Minne, Kurase, and Matsuura has all of the features of claim 5.

Re **claim 8**, the combined system of Minne and Kurase discloses a majority of the features of claim 8, as discussed above in claim 1. Minne and Kurase do not specifically disclose distributing the one-time-use digital video camera to a retailer for a consumer to purchase. However, Matsuura discloses a digital photograph system, wherein a one-time-use digital camera is refurbished for future use and resale by a recycling center, which in turn sells the camera to a store for resale to the consumer (Matsuura: Fig. 2, the recycling center sends refurbished cameras to the store to be sold to the customer). Since Minne, Kurase, and Matsuura relate to digital cameras, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the recycling and resale process of Matsuura with the similar refurbishing process of the combined system of Minne and Kurase in order to make the camera more affordable to the consumer, while still allowing the manufacturer and vendor to attain a profit. The combined system of Minne, Kurase, and Matsuura has all of the features of claim 8.

Re **claim 9**, the combined system of Minne and Kurase discloses a majority of the features of claim 9, as discussed above in claim 1. Minne and Kurase do not specifically disclose forcing a consumer to return the one-time-use digital video camera to a vendor in order for the consumer to obtain video content captured during the use cycle. However, Matsuura discloses a digital photograph system, wherein a one-time-use digital camera is refurbished for future use and resale by a recycling center, which in turn sells the camera to a store for resale to the consumer and the terminal must be verified in order to access the memory (Matsuura: Fig. 9). Since Minne, Kurase, and

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Matsuura relate to digital cameras, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the recycling and resale process of Matsuura with the similar refurbishing process of the combined system of Minne and Kurase in order to make the camera more affordable to the consumer, while still allowing the manufacturer and vendor to attain a profit. The combined system of Minne, Kurase, and Matsuura has all of the features of claim 9.

Re **claim 20**, the combined system of Minne and Kurase disclose a majority of the features of claim 20, as discussed above in claim 15. Minne and Kurase do not specifically disclose that the processor within the digital video camera is configured to store the video content in a non-consumable format only visible in an intelligible form from the external server and the one-time-use digital camera. However, Matsuura discloses a digital photograph system, wherein a one-time-use digital camera is refurbished for future use and resale by a recycling center, which in turn sells the camera to a store for resale to the consumer and the terminal must be verified in order to access the memory (Matsuura: Fig. 7; paragraph [0043], verifying an authorized terminal). Since Minne, Kurase, and Matsuura relate to digital cameras, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the recycling and resale process of Matsuura with the similar refurbishing process of the combined system of Minne and Kurase in order to make the camera more affordable to the consumer, while still allowing the manufacturer and vendor to attain a profit. The combined system of Minne, Kurase, and Matsuura has all of the features of claim 20.

5. Claims 7, 14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Kurase (US 20020063783 A1) as applied to claims 1-3, 6, 10-13, 15-16, 19, and 23-25 above, and further in view of Culp et al. (US 6973453 B2).

Re **claim 7**, the combined system of Minne and Kurase discloses a majority of the features of claim 7, as discussed in claim 1 above, but neither Minne nor Kurase specifically disclose enhancing quality of video data captured by the one time use digital video camera with an external processing unit. However, Culp discloses an image collection enhancement method, in which a user's image collection may be augmented by professional pictures (Culp: column 1, lines 54-67; column 2, lines 13-22). Culp further discloses the possibility of utilizing software applications for enhancing the quality of the image collection (Culp: column 1, lines 27-35; column 2, lines 3-12). Since Minne, Kurase, and Culp relate to processing digital images, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the organizational method of Culp with the digital camera system of Minne and Kurase in order to enhance the user's picture/video collection by supplementing it with additional photos (Culp: column 1, lines 41-44) when the customer turns in the camera (Culp: column 4, lines 49-51). The combined system of Minne, Kurase, and Culp has all of the features of claim 7.

Claim 14 has been analyzed and rejected with respect to claim 7 above.

Re **claim 22**, the combined system of Minne and Kurase discloses a majority of the features of claim 22, as discussed above in claim 15, but neither Minne nor Kurase

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specifically disclose the external server to enhance the original captured video content by adding in stock video intermixed with the original captured video footage when a video product is supplied to a consumer. However, Culp discloses an image collection enhancement method, in which a user's image collection may be augmented by professional pictures (Culp: column 2, lines 3-12; Fig. 3, professional images may be added in with the user's images). Since Minne, Kurase, and Culp relate to processing digital images, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the organizational method of Culp with the digital camera system of Minne and Kurase in order to enhance the user's picture/video collection by supplementing it with additional photos (Culp: column 1, lines 41-44) when the customer turns in the camera (Culp: column 4, lines 49-51). The combined system of Minne, Kurase, and Culp has all of the features of claim 22.

6. Claims 17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Kurase (US 20020063783 A1) as applied to claims 1-3, 6, 10-13, 15-16, 19, and 23-25 above, and further in view of Haas et al. (US 20040012810 A1).

Re **claim 17**, the combined system of Minne and Kurase discloses a majority of the features of claim 17, as discussed above in claim 16, but neither Minne nor Kurase specifically disclose that the limiting use component is a clock circuit to monitor an amount of time the video has been recording and after a preset amount of time occurs to trigger a signal to disable the one-time use digital video camera from further use in

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the current use cycle. However, Haas discloses a system for presenting images captured at an event during the event, where event patrons are provided with disposable cameras (Haas: paragraph [0009]) that are equipped with a time limit feature, which disables operation of the camera after expiration of a given period of time (Haas: paragraph [0026]). Since Minne, Kurase, and Haas all relate to processing digital images, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the digital camera system of Minne and Kurase with the time limiting feature of Haas, in order to provide photo processing at an event and allow the customer to immediately order pictures from a disposable camera used at special events (Haas: paragraph [0009]). The combined system of Minne, Kurase, and Haas has all of the features of claim 17.

Re **claim 21**, the combined system of Minne and Kurase discloses a majority of the features of claim 21, as discussed above in claim 15, but neither Minne nor Kurase specifically disclose the external server to enhance the captured video content with meta data recorded at the time the video content was filmed. However Haas discloses a system for presenting images captured at an event during the event, where event patrons are provided with disposable cameras (Haas: paragraph [0009]) that provide metadata for the images (Haas: paragraph [0032]). Since Minne, Kurase, and Haas all relate to processing digital images, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the digital camera system of Minne and Kurase with the metadata feature of Haas, in order to provide photo processing at an event and allow the customer to immediately order pictures from a disposable

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camera used at special events (Haas: paragraph [0009]). The combined system of Minne, Kurase, and Haas has all of the features of claim 21.

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Minne et al. (US 6950129 B1) in view of Kurase (US 20020063783 A1) as applied to claims 1-3, 6, 10-13, 15-16, 19, and 23-25 above, and further in view of Tanaka et al. (US 20030001959 A1).

Re **claim 18**, the combined system of Minne and Kurase discloses a majority of the features of claim 18, as discussed above in claim 16, but neither Minne nor Kurase specifically disclose that the limiting use component is an amount of battery power contained in the video camera designed-to support only a single use cycle and replacement of the battery power is inaccessible to a user of the digital video camera. However, Tanaka discloses a digital camera and recycle method thereof, where the operability of a rented digital camera is limited to the life of a battery, which is inaccessible to the user (Tanaka: paragraph [0116]). Since Minne, Kurase, and Tanaka all relate to processing digital images, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the digital camera system of Minne and Kurase with the battery monitoring capability of Tanaka in order to promote timely return of the rented camera (Tanaka: paragraph [0117]). The combined system of Minne, Kurase, and Tanaka has all of the features of claim 18.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. Method, business processes and apparatus for remote data, image and video collection, transmission and distribution using cellular electronic serial number enabled devices

Strisower (US 20040083275 A1)

b. Digital camera capable of being collected for reuse

Okada et al. (US 20010040625 A1)

c. Digital camera system and camera recycle system

Kubota (US 20030001957 A1)

d. Digital camera with reduced image buffer memory and minimal processing for recycling through a service center

Meitav et al. (US 20040252201 A1)

e. Digital camera and imaging method

Yamada et al. (US 7046275 B1)

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER FINDLEY whose telephone number is (571)270-1199. The examiner can normally be reached on Monday-Friday (8:30 AM-5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

/Christopher Findley/